

Customer No. 24498
Attorney Docket No. PU030294
Office Action Date: April 14, 2008

Remarks/Arguments

35 U.S.C. §112, ¶2

The Examiner has rejected claims 2 and 3 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, Examiner notes that Claims 2 and 3 were circular, as they both referred to themselves in dependent form.

Claims 2 and 3 have been amended to remove circularity. In view of the above remarks and amendments, it is respectfully asserted that the rejection has been overcome and should be withdrawn.

35 U.S.C. §102

Claims 1-18 stand rejected under 35 U.S.C. §102(b) as being anticipated by J.B. Sampsell, U.S. Patent No. 6,219,839 (hereinafter "Sampsell").

The present invention, as recited by amended claim 1, describes a "method for displaying on a television apparatus, content information associated with peripheral device interconnected with the television apparatus via a digital serial bus, the method comprising: receiving, by the television apparatus, a user request to view content information associated with a selected peripheral device interconnected to the television apparatus via the digital serial bus; obtaining, by the television apparatus, content information from the selected peripheral device regardless of whether the selected peripheral device is a currently selected input source for the television apparatus; and displaying, by the television apparatus, the received content information for the selected peripheral device; wherein said selected peripheral device stores program data stream received from a broadcast source and the content information was obtained from auxiliary data associated with the program data stream."

It is respectfully asserted that Sampsell fails to disclose "receiving, by the television apparatus, a user request to view content information ... wherein said selected peripheral device stores program data stream received from a broadcast source and the content information was obtained from auxiliary data associated with the program data stream."

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Sampsell teaches "a system for providing an on-screen electronic resource guide (ERG) includes an audio/visual display device; plural peripheral devices, each having an active mode and an inactive mode; an interface located between said audio/visual device and said peripheral devices; and an ERG generator for providing an ERG display for displaying programming available to said audio/visual display device from said peripheral devices when such devices are in their active mode. A method for providing an on-screen electronic resource guide (ERG) in an audio/visual display device having plural peripheral devices connected thereto over an interface, wherein each peripheral device has an active mode and an inactive mode includes generating an ERG display for displaying programming available to the audio/visual display device from said peripheral devices when such devices are in their active mode, and controlling a peripheral device from the ERG display." (Sampsell Abstract)

The Office Action asserts that Sampsell discloses: "a method for displaying on a television apparatus (Figure 1, element 12), content information associated with peripheral device interconnected with the television apparatus via a digital serial bus (Figure 1, element 30; Column 3, lines 66-67; Column 4, lines 1-3)), the method comprising: receiving, by the television apparatus (Figure 1, element 12), a user request to view content information associated with a selected peripheral device (Column 5, lines 11- 21) interconnected to the television apparatus via the digital serial bus (Column 4, lines 17- 47); obtaining, by the television apparatus, content information from the selected peripheral device regardless of whether the selected peripheral device is a currently selected input source for the television apparatus; and displaying, by the television apparatus, the received content information for the selected peripheral device (Figure 9). (Column 3, lines 16-36)." (Office Action, pages 3-4).

Sampsell, however, makes no mention of the peripheral device storing a program data stream received from a broadcast source and the content information being obtained from auxiliary data associated with the program data stream, in particular, ATSC or PSIP as the source of content information obtained from a peripheral device. Therefore, Sampsell fails to disclose "receiving, by the television apparatus, a user request to view content information ...wherein said selected peripheral device stores program data stream received

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from a broadcast source and the content information was obtained from auxiliary data associated with the program data stream.

Although Sampsell mention use of legacy VCRs as possible peripheral devices, such devices do not provide content information derived from auxiliary data associated with program data stream received from a broadcast source. Similarly, the example of a DVD player mentioned by Sampsell also does not provide such content information. In the case of a DVD player, the content information is provided from information encoded onto a particular disc.

Furthermore, neither VCRs nor DVD players obtain PSIP data from an ATSC stream, as recited in claims 2, 19, and 20.


In view of the above remarks and amendments to the claims, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Sampsell that makes the present invention as claimed in claim 1 unpatentable. It is further submitted that currently amended independent claims 9 and 15 are allowable for at least the same reasons that claim 1 is allowable. Since dependent claims 2-8, 10-14, and 16-18 are dependent from allowable independent claims 1, 9, and 15, respectively, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

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No fee is believed due. However, if a fee is due, please charge the additional fee to
Deposit Account 07-0832.

Respectfully submitted,


By: Paul P. Kiel
Reg. No. 40,677
Phone (609) 734-6815

Patent Operations
Thomson Licensing, LLC
P.O. Box 5312
Princeton, New Jersey 08543-5312

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